

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
)	
Joseph C. CAUTHEN)	Group Art Unit: 3738
)	
Application No.: 10/085,040)	Examiner: David J. Isabella
)	
Filed: March 1, 2002)	Confirmation No.: 8078
)	
For: INTERVERTEBRAL DISC)	
ANNULUS STENT)	

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

NOTICE OF APPEAL UNDER 37 C.F.R. § 41.31

Applicants appeal to the Board of Patent Appeals and Interferences from the
Examiner's decision mailed July 6, 2006.

The item(s) checked below are appropriate:

1. ☐ A Petition for extension of time to respond to the final rejection was filed on {date} extending the period for response to {date}.
2. ☒ A Petition for extension of time to extend the period for response to January 6, 2007, is enclosed together with an authorization to charge Deposit Account No. 06-0916.
3. ☒ The Appeal Fee of \$500.00 ☒ is enclosed or ☐ is to be charged to Deposit Account No. 06-0916.
- ☐ A pre-appeal brief conference is requested. The request and supporting documentation are attached.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Date: January 8, 2007

By:

A handwritten signature in black ink, appearing to be 'ERACITI', written over a horizontal line.

Eric P. Raciti
Reg. No. 41,475

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